

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

Aug 09, 2018

SEAN F. McAVOY, CLERK

JANET R.,

Plaintiff,

v.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 2:17-CV-0387-JTR

ORDER GRANTING STIPULATED  
MOTION FOR REMAND  
PURSUANT TO SENTENCE FOUR  
OF 42 U.S.C. § 405(g)

**BEFORE THE COURT** is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 20. Attorney Edward A. Wicklund represents Plaintiff; Special Assistant United States Attorney Daphne Banay represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 7. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 20**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the administrative law judge (ALJ) shall offer Plaintiff the opportunity for a *de novo* hearing and issue a new decision. The ALJ shall:

- (1) reevaluate the medical opinion of Stephen Rubin, Ph.D. (Tr. 47-54);
- (2) evaluate the medical assessment from Nurse Practitioner Ross (Tr. 374-384),

1 consistent with 20 C.F.R. §§ 404.1527 and 416.927; (3) reassess Plaintiff's  
2 maximum residual functional capacity; and (4) obtain supplemental evidence from  
3 a vocational expert, if necessary. The ALJ may take any other actions necessary to  
4 develop the record, and Plaintiff may submit additional evidence and present  
5 additional argument.

6 2. **Judgment shall be entered for PLAINTIFF.**

7 3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is  
8 **STRICKEN AS MOOT.**

9 4. An application for attorney fees may be filed by separate motion.

10 The District Court Executive is directed to enter this Order, forward copies  
11 to counsel, and **CLOSE THE FILE.**

12 DATED August 9, 2018.

A handwritten signature in black ink, appearing to be "M", is written above a horizontal line.

JOHN T. RODGERS  
UNITED STATES MAGISTRATE JUDGE